

Docket No.: PF-0532-2 DIV 1644

Certificate of Mailing

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to:
Commissioner for Patents, Washington, D.C. 20231 on June 13, 2002

By: Emma F. Durrell Printed: Emma F. Durrell

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of: Hillman et al.

Title: DELTA-1-PYRROLINE-5-CARBOXYLATE REDUCTASE HOMOLOG

Serial No.: 09/912,717

Filing Date: July 24, 2001

Examiner: Huynh, P.

Group Art Unit: 1644

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Commissioner for Patents
Washington, D.C. 20231

TRANSMITTAL FEE SHEET

Sir:

Transmitted herewith are the following for the above-identified application:

1. Return Receipt Postcard;
2. Response to Office Action (___ pp.); and
3. Terminal Disclaimer (2 pp).

The fee has been calculated as follows:

Claims	Claims After Amendment	-	Claims Previously Paid For	=	Present Extra	Other Than Small Entity Rate	Fee	Additional Fee(s)
Total	19	-	20	=	0	x\$18.00	0	\$ 0
Indept.	1	-	3	=	0	x\$84.00	0	\$ 0
First Presentation of Multiple Dependent Claims:						+280.00		\$
Total Fee:								\$ 0

 No additional Fee is required.

 X Terminal Disclaimer \$ 110.00

 X Please charge Deposit Account No. 09-0108 in the amount of : \$ 110.00

The Commissioner is hereby authorized to charge any additional fees required under 37 CFR 1.16 and 1.17, or credit overpayment to Deposit Account No. 09-0108. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

INCYTE GENOMICS, INC.

Richard C. Ekstrom

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Reg. No. 37,027

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Date: 13 June 2002

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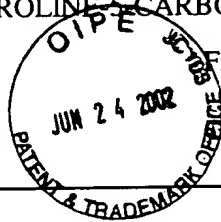
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TERMINAL DISCLAIMER

Sir:

Petitioner, Incyte Genomics, Inc., formerly known as Incyte Pharmaceuticals, Inc., a Delaware corporation, having a place of business at 3160 Porter Drive, Palo Alto, California 94304, is the owner of the entire interest in the instant application. Petitioner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, of prior patent U.S. Patent Number 6,268,192. Petitioner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Petitioner does not disclaim the terminal part of any patent granted on the instant application that would extend the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, in the event that the prior patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed

under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

The undersigned (whose title is supplied below) represents that he/she is a representative authorized to sign on behalf of Petitioner.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

13 June 2002
Date

Richard C. Ekstrom
Signature

Richard C. Ekstrom, Attorney for Applicants
Typed or Printed Name and Title